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Atty. Docket. No.: 25452-014

FAX RECEIVED**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****OCT 26 2006**

Appl. No. : 10/658,978 Confirmation No. 3973
Applicants : David G. Therrien, *et al.* TC/A.U. : 2165
Filed : September 10, 2003
Examiner : Mofiz, Apu M.
Customer No. : 35437
Title : METHOD AND APPARATUS FOR STORAGE SYSTEM TO
PROVIDE DISTRIBUTED DATA STORAGE AND PROTECTION

OFFICE OF PETITIONS**OFFICE OF PETITIONS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449 (submitted in duplicate) in the above-identified application, copies of which are submitted herewith. In accordance with MPEP §609.04(a)(II), copies of the cited U.S. patents and U.S. publications are not required.

This Information Disclosure Statement is being filed before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. § 1.114, for the above-identified application. Accordingly, no fee or certification is believed required.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims. It is also respectfully requested that the Examiner initial, sign and date, and return a copy of the signed modified Form PTO-1449 with the next U.S. PTO communication, to evidence that the cited information has been fully considered by the U.S. Patent and Trademark Office during the examination of this application.

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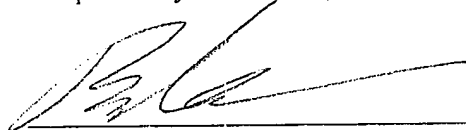
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By submitting this Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

The order of presentation of the references should not be construed as an indication of the importance of the references. The Examiner is urged to form his/her own conclusion regarding the relevance of the cited information.

Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. Reference No. 25452-014, Customer No. 35437.

Respectfully submitted,



Dated: October 27, 2006

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Attorney Docket No.: 25452-014

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Modified Form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Application Number		10/658,978	
				Filing Date		September 10, 2003	
				First Named Inventor		David G. Therrien, et al.	
				Group Art Unit		2165	
				Examiner Name		Apu M. Mofiz	
				Attorney Docket Number		25452-014	
U.S. PATENT DOCUMENTS							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
	A1	5,659,614 A	August 19, 1997	Bailey, III	713	165	November 28, 1994
	A2	5,813,017 A	September 22, 1998	Morris	707	204	September 3, 1996
	A3	5,974,574 A	October 26, 1999	Lennie, et al.	714	52	September 30, 1997
	A4	6,272,649 B1	August 7, 2001	Hayward, et al.	714	6	September 28, 1998
	A5	6,304,882 B1	October 16, 2001	Strellis, et al	707	202	May 5, 1998
	A6	6,389,427 B1	May 14, 2002	Faulkner	707	104.1	May 28, 1999
U.S. PUBLISHED APPLICATION DOCUMENTS							
Exam Initials	Cite No.	U.S. Published Application No.	Published Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
	A7	2002/095416 A1	July 18, 2002	Schwols	714	6	January 12, 2001
FOREIGN PATENT DOCUMENTS							
Exam Initials	Cite No.	Foreign Patent Office	Document Number	Name of Patentee(s) or Applicant(s)	Date of Publication		Translation Yes No
	B1	WIPO	WO 02/35359 A	Huang, et al	May 2, 2002		No
OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS							
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.					
	C1	Supplementary European Search Report for PCT/US0328390, date of mailing: October 4, 2006					
	C2	Supplementary European Search Report for PCT/US0328250, date of mailing: October 5, 2006					
	C3	Supplementary Partial European Search Report for PCT/US0328251, date of mailing: October 6, 2006					
	C4	Supplementary European Search Report for PCT/US0328692, date of mailing: October 10, 2006					
Examiner Signature					Date Considered		

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

NYC 374256v.1

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Certificate of Facsimile Transmission under 37 C.F.R. § 1.8

The undersigned hereby certifies that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office to:

Office of Petitions, Facsimile No. 571-273-0025 on October 26, 2006.

Respectfully submitted,

Dated: October 26, 2006


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1. Petition under 37 C.F.R. § 1.313(c)(2) to Withdraw from Issue after Payment of Issue Fee (2 pages);
2. Request for Continued Examination (RCE) Transmittal (2 pages)
3. Information Disclosure Statement (2 pages) with Modified Form PTO-1449 (1 page); and
4. Transmittal Letter (1 page).

Total Number of Pages (including this Certificate of Transmission) 8 pages

NYC 373479v.1